



UNITED STATES PATENT AND TRADEMARK OFFICE

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TECHNOLOGY CENTER 2100

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UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, DC 20231
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Paper No. 22

Patrick B. Law
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In re Application of: Schoenwolf, et al.)
Application No. 09/282,145) DECISION ON PETITION TO
Attorney Docket No. 112740-638) WITHDRAW HOLDING OF
Filed: March 31, 1999) ABANDONMENT UNDER 37 CFR §
For: DATABASE FOR PERSISTENT) 1.181(a)
DATA)

This is a decision on the petition filed July 14, 2003 under 37 C.F.R. § 1.181(a) requesting the Withdrawal of the Holding of Abandonment. The Notice of Abandonment was mailed June 12, 2003 (Paper No. 20) for failure to respond to the Office action mailed October 22, 2002.

BACKGROUND

Jul 17, 2002 Power of Attorney, revocation of attorney and change of address filed (Paper No. 14)

Sep 24, 2002 Request for continued examination and extension of time filed (Paper No. 17)

Oct 22, 2002 Non final rejection mailed (Paper No. 18)

Mar 31, 2003 Change of address filed (Paper No. 19)

Jun 12, 2003 Notice of Abandonment mailed (Paper No. 20)

ISSUES

Petitioner has submitted a petition; a copy of the Power of Attorney with a change of address listing Customer No. 29177 as the attorney of record; and a copy of the postcard receipt dated July 17, 2002 for the filing of the Power of Attorney. The practitioner states he did not receive the Office action and that the Office action was mailed to the incorrect address as evidenced by Exhibit A which is the cover sheet for the October 22, 2002 Office action.

DECISION

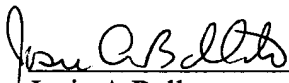
A review of the Office copy reveals the Power of Attorney by Assignee dated July 17, 2002 is of record in the application. The Power contains a revocation and a request to direct all communications to "Bell, Boyd & Lloyd, LLC." The Office did not process this request and the

non-final Office action was mailed to an address which was never of record. The Office regrets any inconvenience caused by this error.

The evidence is sufficient to prove practitioner's nonreceipt of the Office mailing.

Accordingly, the petition is **GRANTED**. The holding of abandonment is withdrawn.

The application file will be forwarded to the Technology Center support staff. The non-final Office action will be remailed with the three-month period for reply restarted to run from the date of the remailing.



Josie A Ballato

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